

C O N F I D E N T I A L

86-0041

09 JAN 1986

MEMORANDUM FOR: Director of Finance
Director of Information Services
Director of Personnel
Director of Security

FROM: Richard J. Kerr
Deputy Director for Administration

SUBJECT: Request for Comments: Revised Document "Periodic
Congressional Reporting Requirements of the Central
Intelligence Agency"

REFERENCE: Memo to DDA from OLL, dtd 7 Nov 85, same subject, (final
version forwarded as DDA-85-3358/6)

1. In November 1985 a final version of the "Periodic Congressional Reporting Requirements of the Central Intelligence Agency" was forwarded to your office for your use and retention. Attached is a copy of a revised version of that document and a cover memorandum from the Office of Legislative Liaison (OLL) explaining the reason for the revisions.

2. The revised document indicates differences which concern the Office of Security (page 3, item 8 and 9; page 8, item 6) and the Office of Personnel (page 4, item 1). Therefore, request each office review the revised document and if you have any comments regarding new requirements or provisions, please forward them to me by 30 January 1986. If necessary, a consolidated report will then be prepared for OLL. Additionally, if you have a "no comment" response please telephone direct to [redacted] DA Plans Staff, on extension [redacted]

[redacted]
Richard J. Kerr

Attachment

ORIG: DDA/MS/

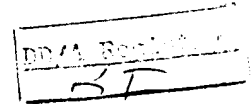
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C O N F I D E N T I A L

OLL 86-0001
3 January 1986



MEMORANDUM FOR: DDA
DDI
DDO
DDS&T
IG
Comptroller
General Counsel
Director, Intelligence Community
Staff

FROM: Charles A. Briggs
Director, Office of Legislative Liaison

SUBJECT: Revision of Periodic Congressional Reporting
Requirements List

1. Attached is a copy of a revised version of the document "Periodic Congressional Reporting Requirements of the Central Intelligence Agency", dated 31 December 1985.

2. This revision results from the enactment of the "Intelligence Authorization Act for Fiscal Year 1986" which contains several Congressional reporting requirements.


3. Four requirements contained in that Act are included on the list: three in connection with the provision giving the Agency the ability to obtain from states and localities criminal history record information on applicants ((I)(A)(8)), ((I)(A)(9)) and ((II)(A)(6)); and one in connection with the defector citizenship provision ((I)(B)(12)).

4. Two additional requirements contained in the FY 86 Authorization Act are not included on the list: 1) the requirement for the President to conduct a worldwide counterintelligence/security survey in 120 days (interim report in 60 days); and, 2) the requirement that for fiscal year 1986 only, certain covert arms transfers shall be reported under the provisions of the National Security Act of 1947. Because the former is already under preparation and the latter is capable

of being handled under existing mechanisms for reporting "significant anticipated intelligence activities" ((I)(B)(9)), neither is included in this revision of the list. Further, as Section 401 of that Act merely codified into law the existing procedures governing Congressional notification of certain budgetary actions (obligations/expenditures from the Reserve for Contingencies and reprogrammings or transfers of funds) these two requirements are not included in this list either.

5. Various other items are also included in this revision: President's quarterly reports on Nicaragua (II)(A)(7) and (II)(8)(8); and, reports of awards of fees or other expenses under Equal Access to Justice Act Amendments (I)(B)(15).

6. Any comments and questions on these additional items should be directed to of this Office

Charles A. Briggs 

Attachment:
as stated

31 December 1985

"PERIODIC CONGRESSIONAL REPORTING REQUIREMENTS OF THE
CENTRAL INTELLIGENCE AGENCY"

PART I - Direct Reports to the Congress
from the Agency

PART II - Indirect Reports to the Congress
from the Agency

Does not include "programmatic" requirements
or requirements contained in the budget's
classified annex.

"Oversight Committees" refers only to the
Senate Select Committee on Intelligence (SSCI)
and the House Permanent Select Committee on
Intelligence (HPSCI).

"Foreign Relations Committees" refers to the
Senate Foreign Relations Committee and the
House Foreign Affairs Committee.

I. DIRECT REPORTS TO THE CONGRESS
FROM THE AGENCY

PART A. SCHEDULED REPORTS

<u>SUBJECT OF REPORT</u> <u>DUE</u>	<u>DATE DUE</u> <u>TO CONGRESS</u>	<u>DUE TO OLL</u>	<u>DUE FROM</u>	<u>AGENCY COMPONENT</u> <u>PRODUCING</u>	<u>OGC COMPONENT</u> <u>INVOLVED</u>	<u>SOURCE OF REPORTING</u> <u>REQUIREMENT</u>	<u>CONGRESSIONAL</u> <u>RECIPIENT</u>
1. Annual review of intelligence activities	1 Jan	15 Dec of previous year	DCI	IC Staff	ICAD	Rule XLVIII, clause 3(b)- Rules of the House of Representatives; S. Res. 400, §4(b)	Oversight Committees
2. Annual report on CIAALS ("Ruddock Report")	1 Jan	15 Dec	CIA	DDA/OP	ALD	H. Rept. 94-1152 (Part I), P 13; Letter dated 10/31/77 from John F. Blake, CIA, to then HPSCI Member Morgan F. Murphy	Oversight Committees
3. Annual report on FOIA denials, appeals, rules, fees and other administration information	1 Mar	15 Feb	CIA	DDA/OIS	LD	5 U.S.C. §552(d)	Speaker of the House President <u>Pro Tempore</u> of the Senate

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<u>SUBJECT OF REPORT DUE</u>	<u>DATE DUE TO CONGRESS</u>	<u>DUE TO OLL</u>	<u>DUE FROM</u>	<u>AGENCY COMPONENT PRODUCING</u>	<u>OGC COMPONENT INVOLVED</u>	<u>SOURCE OF REPORTING REQUIREMENT</u>	<u>CONGRESSIONAL RECIPIENT</u>
4. Annual Report on use of intel- ligence authority to obtain protected financial records	1 April	1 March	CIA	DDA/OF	OSD	Section 1121, Right to Financial Privacy Act of 1978 (12 U.S.C. §3421(b))	Oversight Committees
5. Semi-annual special report on CIA FOIA processing	15 Oct 85 15 Apr 86 15 Oct 86	1 week prior in each instance	DCI	DDA/OIS	LD	Section 3(b) of CIA Information Act (P.L. 98-477)	Oversight Committees + House Govt Ops + Senate Judiciary
6. Annual report on use of national security exemption directive authority under Securities Exchange Act of 1943	1 Oct	1 Sept	CIA	DDO/PCS	OSD	Section 13(b) (3) (B) Securities Exchange Act of 1934 as amended by the Foreign Corrupt Practices Act of 1979 (15 U.S.C. §78m (b) (3) (B))	Oversight Committees
7. Annual report on CIA accounting system compliance with Comptroller General principles, standards and requirements	31 Dec	1 Dec	DCI	IG	GC	31 U.S.C. §3512(c)	Speaker of House President <u>Pro Tempore</u> of the Senate

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8. "One-time" report on effect on CIA of requirement to submit applicants' fingerprints to state or locality in conjunction with request for criminal history record information	4 Dec 87	4 Nov 87	CIA (DOD and OPM)	OS	ALD	H. Rept. 99-373, p.27 (Conference report on Intelligence Authorization Act, FY 1986)	"Appropriate Committees" (Oversight Committees for CIA)
9. Annual report on effect on CIA of requirement to pay fees to states and localities in conjunction with request for criminal history record information	1 Jan (first report due 1987)	1 Dec	CIA (DOD and OPM)	DDA OS	ALD	H. Rept. 99-373, p.28 (Conference Report on Intelligence Authorization Act, FY 1986)	"Appropriate Committees" (Oversight Committees for CIA)

PART B. AD HOC REPORTS

<u>SUBJECT OF REPORT</u> <u>DUE</u>	<u>DATE DUE</u> <u>TO CONGRESS</u>	<u>DUE TO OLL</u>	<u>DUE FROM</u>	<u>AGENCY COMPONENT</u> <u>PRODUCING</u>	<u>OGC COMPONENT</u> <u>INVOLVED</u>	<u>SOURCE OF REPORTING</u> <u>REQUIREMENT</u>	<u>CONGRESSIONAL</u> <u>RECIPIENT</u>
1. Exercise of DCI authority to make personnel and ceiling adjustments	Ad hoc (but 30 days prior to effective date)	30 days + 2 weeks prior to effective date	DCI	DDA/OP	ALD	Section 104, Intelligence Authorization Act for Fiscal Year 1986 (P.L. 99-169) (contained also in the intelligence authorization Acts for FY 83, 84 and 85)	Oversight Committees
2. Submission and revisions of certain CIA personnel and property and physical security regulations	Ad hoc (but 30 days prior to effective date)	30 days + 2 weeks prior to effective date	DCI	DDA	ALD	130 Cong. Rec. S 14260 (daily ed.) (Oct. 11, 1984); see Section 15, CIA Act of 1949, as enacted by Intelligence Authorization Act for FY 1985 (P.L. 98-618)	Oversight Committees
3. Deployment of designated CIA physical security personnel to additional locations	Ad hoc	2 weeks prior to effective date	CIA	DDA	ALD	130 Cong. Rec. S 14260 (daily ed.) (Oct. 11, 1984); see Section 15, CIA Act of 1949, as enacted by Intelligence Authorization Act for FY 1985 (P.L. 98-618)	Oversight Committees
4. Submission of CIA Retirement regulations	Ad hoc (but 30 days prior to effective date)	30 days + 2 weeks prior to effective date	CIA	DDA/OP	ALD	Section 201(a) of CIA Retirement Act of 1964 for Certain Employees (50 U.S.C. 403 note), as amended by Intelligence Authorization Act for FY 1985 (P.L. 98-618)	Oversight Committees

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5. Submission of regulations concerning certain CIA allowances, benefits and travel	Ad hoc (but 30 days prior to effective date)	30 days + 2 weeks prior to effective date	CIA	DDA/OP DDA/OF	ALD	Section 4(b) (5), CIA Act of 1949 (50 U.S.C. §403e(b) (5), H. Rpt. 97-101, Part I, p. 9	Oversight Committees
6. CIA activities pursuant to Executive Order 12333 and implementing procedures - Collection vis a vis U.S. persons	Ad hoc (Annual, semi-annual and current requirements mixed)	Ad hoc	CIA	DDO/PCS	ILD	Agreed "CIA Reporting Schedule" transmitted by former HPSCI Chairman Boland by letter dated 26 March 1984; affirmed by DCI Casey letter dated 24 April 1984	Oversight Committees
7. Operation of Section 12, CIA Act of 1949 (DCI Authority to accept gifts)	Ad hoc (after gift's acceptance)	Within 30 days after acceptance of gift	CIA	DDA	ALD	H. Rept. 96-1350, p. 14	Oversight Committees
8. Ensure Committee is "fully and currently informed" of all intelligence activities	Ad hoc	Ad hoc	DCI	D/OLL	GC	Section 501 (a) (1), National Security Act of 1947 (50 U.S.C. §413(a) (1))	Oversight Committees
9. Notice of "significant anticipated intelligence activity"	Ad hoc (prior notice)	Ad hoc	DCI	DDO/PCS	Counsel to the DO, ICAD	Section 501 (a) (1), National Security Act of 1947 (50 U.S.C. §413(a) (1))	Oversight Committees

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10. Illegal intel- ligence activity or significant intelligence failure	Ad hoc	Ad hoc	DCI	IG	ILD	Section 501 (a) (3), National Security Act of 1947 (50 U.S.C. §413(a) (1))	Oversight Committees
11. All procedures promulgated pursuant to Executive Order 12333	Ad hoc	Ad hoc	DCI	DDO/PCS	ILD	Section 3.3, Executive Order 12333	Oversight Committees
12. Filing of petition for naturalization of certain aliens	Ad hoc but at least thirty days prior to filing of petition	Ad hoc	DCI	DDO OGC	OSD	8 U.S.C. 1427 (g) (Section 601 of P.L. 99-169)	Oversight Committees + Judiciary Committees
13. Award of fees or other expenses against CIA under "Equal Access to Justice Act Amendments"	Ad hoc	Ad hoc	CIA	OGC	LD	"Equal Access to Justice Act Amendments" (P.L. 99-80); Letter dated 9/18/85 from HPSCI Chairman to DCI Casey	Oversight Committees

A. SCHEDULED REPORTS

<u>SUBJECT OF REPORT</u> <u>DUE</u>	<u>DATE DUE</u> <u>TO CONGRESS</u>	<u>DUE FROM</u>	<u>AGENCY COMPONENT</u> <u>INVOLVED</u>	<u>OGC COMPONENT</u> <u>INVOLVED</u>	<u>SOURCE OF REPORTING</u> <u>REQUIREMENT</u>	<u>CONGRESSIONAL</u> <u>RECIPIENT</u>
1. Semi-annual report on prosecution(s) declined under CIPA because of potential disclosure of classified information	Semiannually	Attorney General (DoJ Criminal Division)	OGC PCS/DDO	ALD	Section 13(a) of Classified Information Procedures Act, (18 U.S.C.A. App.)	Oversight Committees
2. Annual report on measures to protect identities of covert agents	Annually (1 Feb)	President (National Security Council)	OGC DDO	ALD	Section 603 of the National Security Act as amended by the Intelligence Identities Protection Act (50 U.S.C. §423) (a)	Oversight Committees
3. Semi-annual Foreign Intelligence Surveillance Act Report on Electronic Surveillance	Semi-annually 1 Feb and 1 August	Attorney General (Office of Intelligence Policy)	OGC	ILD	Section 108(d), Foreign Intelligence Surveillance Act (50 U.S.C. §1808(a))	Oversight Committees
4. Annual Report on Reciprocity of Diplomatic Privileges vis a vis countries engaging in hostile intelligence activities in the United States	8 November	President (National Security Council)	CI/DDO NIO/FD		Section 601, Intelligence Authorization Act for FY 1985	Oversight Committees + Foreign Relations Committees
5. Annual report on numbers of applications, orders, etc. under Foreign Intelligence Surveillance Act	1 April	Attorney General (Office of Intelligence Policy)	OGC	ILD	Section 107, Foreign Intelligence Surveillance Act of 1978	Congress Speaker of the House President <u>Pro Tempore</u> of the Senate

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6. "One-time" report on indemnification agreements entered into by CIA, DOD and OPM with states and localities for access to criminal history record information	4 Dec 87	Dept. of Justice	OS/OGC	ALD	Section 803(a) of P.L. 99-169	"Appropriate Committees" (Oversight + Judiciary Committees)
7. Quarterly report on "Humanitarian Assistance for Nicaraguan Democratic Resistance" and "Assistance for Implementation of a Contadora Agreement"	Quarterly from 15 Aug 85	President	DDC/DDI		Section 105 of the Supplemental Appropriations Act for FY 85 P.L. 99-88	Congress (Speaker of the House + President <u>Pro Tempore</u> of the Senate)
8. Quarterly report on alleged human rights violations by Nicaraguan Democratic Resistance and the Nicaraguan Government (part of report in #7 above)	Quarterly from 15 Aug 85	President	DDO/DDI		Section 105 of the Supplemental Appropriations Act for FY 85 P.L. 99-88	Oversight Committees

E. AD HOC REPORTS

<u>SUBJECT OF REPORT</u> <u>DUE</u>	<u>DATE DUE</u> <u>TO CONGRESS</u>	<u>DUE FROM</u>	<u>AGENCY COMPONENT</u> <u>INVOLVED</u>	<u>OGC COMPONENT</u> <u>INVOLVED</u>	<u>SOURCE OF REPORTING</u> <u>REQUIREMENT</u>	<u>CONGRESSIONAL</u> <u>RECIPIENT</u>
1. International Agreements entered into by the United States	Ad hoc (no later than 60 days after effective date - due to State 20 days after signature)	Secretary of State	OGC PCS/DDO	ILD	2 U.S.C. §112b(a) (Case Act)	Foreign Relations Committees

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